(25)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE SHRI H.L. DATTU, CJ.

Contempt Petition No.87 of 2004

PETITIONER : Abdul R. Latif, son of Late Abdul Rashid, aged about 75 years, Madam Siddique's house, Dargah Road, Talapara, Bilaspur (C.G.)

VERSUS

RESPONDENT K.K. Chakraborty, Managing director, Infrastructure Development Corporation, Shashtri Chowk, Raipur (Chhattisgarh)

Contempt Petition under Article 215 of Constitution of India.

Present: Shri Manoj Sinha, counsel for the petitioner.
Shri Ashish Shrivastava, counsel for the respondent.

ORAL ORDER
(Passed on 1st May, 2007)

This Court by its order dated 05-01-2004 had disposed of Writ Petition No. 3376/2003 with a direction to the 2nd respondent namely Infrastructure Development Corporation through its Managing Director to decide the claim of Late Naushid Iqbal within a period of three months from the date of the order and to pay the amounts due to the person authorized on behalf of Shri Naushid Iqbal.

(2) Petitioner in the said writ petition has filed this contempt petition. He has arrayed one K.K. Chakraborty, Managing Director, Infrastructure Development Corporation, Shastri Chowk, Raipur as the respondent.

(3) Notice of this contempt petition was issued to the respondent and he has entered appearance through Shri Ashish Shrivastava, learned counsel.

(4) Shri Ashish Shrivastava, learned counsel, appearing on behalf of respondent would submit that at no point of time K.K. Chakraborty was the Managing Director of the Infrastructure Development Corporation. K.K. Chakraborty has also filed his return before this Court and he has stated on

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oath that at no point of time he was the Managing Director of the Infrastructure Development Corporation.

(5) The contempt proceedings are quasi criminal proceedings and therefore while alleging the act of disobedience against the non-applicant, it is expected of the complainant to implead a proper person who is said to have committed disobedience of the orders and directions issued by this Court.

(6) In the instant case K.K. Chakraborty has stated on oath that at no point of time he was the Managing Director of Infrastructure Development Corporation. This assertion is not disputed by learned counsel for the petitioner.

(7) In view of the above, I cannot entertain this contempt petition. Accordingly, the contempt proceeding requires to be dropped and it is dropped. Ordered accordingly.

Sd/-
Chief Justice